

Trade L. B. v. 4.
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ENQUIRY

INTO

The *Causes* of the *Prohibition* of Commerce with *France*, during the present War : And whether, upon a Recapitulation, they will appear considerable enough to carry it against a free Importation, either immediately from thence, or from some neighbouring Country, which being in Amity with us, and maintaining an open Correspondence thither, are capable of supplying Us.

With an Account of the fraudulent Methods usually taken to cheat her Majesty of her Customs.

And Proposals for preventing the same.

L O N D O N,

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Raven in Pater-Noster-Row. Price Six-pence.

The following is a list of the names of the persons who have been appointed to the various committees of the Board of Directors of the Bank of the City of New York, for the year 1881:

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T H E

P R E F A C E.

IT will appear to every Body, who seriously peruses the following Sheets, that the Author, tho' he has not thought fit to sign his Name, is a Man of Sense, and seems to have had such Opportunities, as make him perfect Master of his Subject. Nor does his Zeal for the Government, and the Trade of his Country, appear to be short of his Knowledge.

That the Subject is important, will be question'd by no Man, who considers that our Allies the Dutch have a free Trade with France, and that our fellow Subjects of Ireland trade thither, besides what's carry'd on by the Northern Crowns; and that all of them import into France as much of our Commodities as they can get, we can have no Reason to doubt: And whether that may not divert the Course of our Trade with France, so as to make it hard to be recover'd in case of a Peace, must be submitted to the Consideration of our Legislators.

The Author has been at Pains to give a plausible Answer to the common Objections against our trading with France during the War; viz. Because they may thereby receive Intelligence of our Affairs; that they will enrich themselves at our Expence; and injure our Trade to Portugal, Spain, and Italy. As to the first, it is evident, that the Dutch are as much concern'd to keep their Secrets from the French, as we, and yet they allow a free Trade with them. Nor do we bear so much

THE PREFACE.

of a criminal Correspondence carry'd on betwixt that Country and France, as we find discover'd here of late with us, notwithstanding our Prohibition. And since there's a free Inter-course of Letters betwixt Holland and France, 'tis plain, as our Author observes, that those who are so inclin'd, may carry on a Correspondence that Way, or do it by Vessels hir'd on purpose, when the Occasion is important enough for the French Court to be at the Charge of it. Besides, our Author's Proposal to restrict the Trade with France, to a few Ports, will make such a Correspondence hard enough to be carry'd on that Way. To the second Objection, he says what's considerable, viz. That during the last Peace, the Ballance of Profit was on our side; which being contrary to the common Notion, deserves to be well examin'd and consider'd.

The most material part of the Book relates to the Frauds committed to cheat the Government of their Customs; which are so numerous and probable, that they deserve the serious Consideration of all those who would prevent the Government's being defrauded, or the fair Trader's being injur'd.

Our Author's Proposals for preventing those Frauds, bespeak him to be a good Subject, as well as a good Country-man, and seem so reasonable, and well digested, that if they were put in Practice, we might promise our Selves an effectual Remedy against that growing Mischief. For the rest, we refer to the Book itself, wherein our Author has acquitted himself like an honest Man, his principal View being the Good of his Country; for he writes like a Person of too much Experience, to expect any particular Advantage to himself from such Discoveries as he has oblig'd the Publick with.

An Enquiry into the Causes of the Prohibition of Commerce with France, during the present War.

S I R,

I AM going to entertain you on a Subject, which to flatter my Self would find a favourable Reception, must speak me grossly fond of my own Conceits, partly from being already in some Measure exploded, (and perhaps by your own Voice) and partly for want of Interest to second my Intentions; which being sincerely *British*, engage me in an Affair (it may be) I shall have no Thanks for: But, on the contrary, if I appear'd at the Head on't, with the Vanity of expecting either Applause or Profit by it, might expose me to the Censure of some, as well as Spleen of others, whom it may both sensibly and particularly affect; against which, by concealing so much as my Name, I think I take a sure Method of defending my Self: And therefore, from a Consciousness, that whoever has a Notion (tho' imperfect) which he imagines may be for the Benefit of his Country, (especially at a Time when it may not be altogether impertinent to apprehend a Difficulty in finding Funds that may sit easy on the Subject, answerable to this Winter's Demand) owes the Publick the imparting it, since it must be a very barren one indeed, that cultivated by a good Genius, won't produce some Fruit. And if mine has the good Luck to fall into any happy Hand, that can improve it to the least Advantage, my End will in some Degree be attain'd: And if otherwise, my Bolt is only shot, and it may be rejected,

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without

without farther Trouble, than of giving it the Hearing. Without farther Apology, or entering into the Detail of Advantage or Disadvantage may arise to the Nation by it, which must be determin'd by more discerning Judgments, than mine, I shall pursue my Proposal, which is,

An Enquiry into the Causes of the Prohibition of Commerce with France, during the present War. And whether upon a Re-capitulation they will appear considerable enough to carry it against a free Importation of any part of the Produce thereof, either immediately from thence, or from some neighbouring Country, which being in Amity with us, and maintaining an open Correspondence thither, are capable of supplying us; what Reasons of State, necessary to be Secrets from us poor *Plebeians*, they were, which first gave it Birth, would be Presumption in me to pretend to guess at: But the most obvious, and which had, and still have the general Acceptation among us, and which the Advocates thereof give out for the principal Motives, are,

First, To prevent Intelligence of our Circumstances being convey'd to the Enemy.

Secondly, To prevent his enriching himself at our Expence. And,

Thirdly, To prevent the Injury our Trade to *Portugal*, *Spain*, and *Italy*, might suffer thereby.

Now, whether by our Act of Prohibition, (as it at present stands) those Ends are answer'd, or whether they are not wholly eluded by particular Persons, who form their private Advantages out of it, to the Prejudice of the Publick, is a Subject copious enough for one speculatively inclin'd to exercise his Faculty in, and to lend him what helping Hand I can, I shall presume to let fly some roving Sentiments of my own thereupon, springing from several ocular Observations. I have been making it my Business to be here and there picking up for these two Years past, and particularly in Relation to that part of the Produce of *France* prohibited among us,

us, viz. their Wine and Brandy. Not omitting, by the way, to give an Account of the many Abuses the Government lies under by being, by the Power, Interest, and Connivance of some, as well as by the Craft, Subtilty, and Villany of others, most frequently defrauded in the Duties upon the Importation of foreign Goods of most Kinds.

First, As for any Information the Enemy might receive of our Affairs, communicable by a free Trade, or whatever Dispatches could be made forwards or backwards thereby, (was there no Possibility of hiring Boats expressly in Spite of all your Care to the contrary) it seems not unreasonable to believe the same might be convey'd within a very few Hours as soon to *Versailles*, as if we had a Pacquet continually plying between *Dover* and *Callais*, by our own Posts to *Holland* and *Flanders*; which Countries, without apprehending any of those ill Consequences, keep a constant and open Commerce and Correspondence with *France*, peremptorily refusing all your Applications and Requests to 'em against it, being so far from finding War and Traffick with the same Nation, inconsistent, that on the contrary, they reap such Benefit from the last, that makes the first lie light on their Shoulders, and delivers 'em from abundance of Difficulties they might otherwise be in Danger of sinking under. And why we should have a greater Diffidence in the Fidelity of our Ministers, in whose Breasts alone Secrets of Importance are lodg'd, as if they had not their retentive Faculties as perfect as the *Dutch*; or why we should practise so manifest a Self-denial, (more than our Neighbours) in disdainning the Profit we might (not vainly methinks) hope to draw from a like Condescension, (as if *Britain* was an inexhaustible Mine of Treasure) being a Mystery infinitely above my Comprehension, is humbly submitted to better Judges. As for the

Second, Which is to prevent the Enemy's enriching himself at our Expence, I appeal to your Custom-house Books, whether, during the last Peace, upon casting up the Export

and Import, what Wines we receiv'd from them, at as near a Computation as possibly might be made of the prime Cost, with all Charges to the Embarkation, and what Commodities they took from us, at the common Market-Price they yielded there, we had not (notwithstanding what other of their Goods we took from 'em, than their Wines) a Balance of several thousand Pounds on our Side. And it does not seem disputable, whether the *French* would gladly be on the same Foot again, or whether what they would rejoyce to receive of our Produce, which we might spare 'em not only without Prejudice, but with Profit to the Nation, would not highly over-balance the Wines we might be suppos'd to take from them, whilst we continu'd the high Duty on 'em: A Perpetuation of which, in all Probability, would effectually prevent our *Portugal, &c.* Trade receiving the Obstruction they endeavour to insinuate would arise to it thereby; urging, that those Countries would never take so much of our Woollen Manufactures, Corn, and Fish from our Hands, if we left off our Complaisance to their Wines. And very possibly they may not be in the Wrong of the Argument, supposing us to be entirely forsaking them, and taking up with the *French*. But, on the other Hand, the high Impost being kept upon the Wines of *France*, and a Strictness us'd in collecting it, there can be no Appearance they should ever come to be the general Draught of the Nation, which to be sure will adhere to that of *Portugal, &c.* by Reason of the low Price. Besides, that to the Commorality, Custom has made it habitual: And one Quart having the Effect of almost two of *France*, will entirely keep 'em on that Side; and not a Pipe less, I'm satisfy'd, would be found imported in the Year, but at least the same Quantity, and with greater Benefit to the Publick: For I would undertake to evince, by irrefutable Convictions, not two Thirds (modestly speaking) of that sold for *Portugal* Wine, really is so, but brew'd up, and adulterated by Coopers and Vintners, who are grown to a greater Perfection (if properly it may be

be so call'd) than any Age, since *Adam*, arriv'd at before, to the impairing (not to say downright murdering) our Constitutions, which might not unreasonably be hop'd to find some Redress, by permitting the Importation of that of *France*, which perhaps might oblige 'em to deal more candidly and ingenuously with the World, and to give us that of *Portugal* in its primitive Condition, and at a more moderate Price; for no Body is ignorant, that fourteen or fifteen Years past, at fourteen and sixteen Pence *per Quart*, it had more of its native Purity, than at twenty Pence now, when they are so well inform'd in the Art of Sophistication, which, if any Method could be found out to reduce, would contribute more to the real Advancement of the *Portugal* Trade, &c. than the Prohibition of *French* Wine, which they inveigh so vehemently against, principally (they say) because *France* will take nothing from us in Return, but our ready Money. An Artifice only to cover the better their sinister Purposes: For the *French* are not such Novices, to pretend to receive nothing but hard Money for their Wines; they know, if they insist on that, they may keep 'em till they grow musty on their Hands. But on the contrary, (Woollen Manufactures excepted, which they have forbid for the Improvement of their own; and notwithstanding which, were we permitted to trade thither, we should (as in the last Peace) slide greater Quantities thither, in spite of their Defence, and all their Care to execute it, than generally can be imagin'd) there is little, either of the Growth of our own Country, or any other, which is in our Power to supply 'em with, but they would take from us preferably to any other People in the World, in Gratitude for the Veneration we (more than others) pay to their Wines, &c. And I would fain know, whether 'tis to be believ'd *Ireland*, which every Body knows, notwithstanding the Prohibition, maintains a constant Trade thither, does it all with Specie? Whether *Scotland* (whilst 'twas only *Scotland*) did? Whether 'twould be unjust to suppose the *Hollanders* trade thither.

ther with many of our Commodities ? Or whether 'twould be impertinent to think (if the Prohibition was remov'd) we understand to turn the Product of *Great Britain* to an Advantage, as well as they ? And whether, indeed, 'tis not our Interest so to do, our present Circumstances consider'd, abler Heads than mine must discuss. But now, after all, supposing their Arguments for the Prohibition, to be uncontrovertible, and a Prohibition of all Commerce, directly or indirectly with *France*, to be superlatively for the Benefit of the Kingdom, it would not be difficult, I believe, to prove that in Effect, as it now is, a free Importation, with all the Prejudices charg'd upon it, would not be near so injurious, as this same Prohibition, illustrated with so many Advantages, or rather Prevention of Disadvantages.

I am far from believing, could we be prevail'd on to banish *French* Wine from our Inclinations, and would our Superiors, by refusing it Admittance among them, set us the Examples for renouncing our Appetites for our Interest, 'twould be any Disservice to the Publick to enact such a Law, as might (if possible) root out the Remembrance of it from among us ; and by so ample a Provision, and so severe a Penalty, exact Obedience to it from Persons of all Ranks, that the cunningest Smugler might not find a Hole to creep out of, or evade it. A ready Road to which, seems to lie by its being made penal to the Person, (without Distinction) in whose Possession any *French* Wine or Brandy shall be found ; and condemning to immediate Staving and Destruction all that shall be discover'd, seiz'd, or made Prize of, either on Enemy, Merchant, Retailer, Consumer, or other Person whatsoever. This would be just, equitable, and fair between Subject and Subject, Discouragement to the Smugler, Encouragement to the fair Trader, and as far an Advantage to the Publick in general, as the Restraint of Luxury in any Case would produce.

But since by every Day's Experience, we find the diametrically opposite Practices, that though 'tis prohibited by an Act

Act of Parliament, we find a surreptitious Trade continually carrying on thither, in Contempt of the same; *French Wine* to have a publick and free Vend among us; none but that to be acceptable among our People of Fortune and Fashion; and is free for all, who can have the good Luck, by Hook or Crook, to lay their Hands on't. Rarely have any one been exchequer'd, though taken in the very Fact of Smuggling, unless it happens to be some senseless Rogue, with a Purse as empty as his Pate, and no Friend, or faithful Confident at his Back. And, by the very great Consumption, we have cogent Reasons to suspect almost (if not altogether) the same Quantities are imported, as if there was no such Thing as a Prohibition. I shall presume so far to meddle in a Business I have no immediate Concern with, as to remonstrate what Observations have occur'd to me thereupon, by Means of a certain Employment, which has enabled me to dive deeper into Abuses of this Nature, than most Men. 'Twas a perfect Accident first embark'd me particularly therein; and one Discovery opening another, spurr'd me on to make a thorough Search into the Wound; which, though with the Charge of both Pence and Pains, I propose no other Return for, than an inward Satisfaction of having done the Government and Publick the Justice I ow'd 'em. My Meaning is not to point to particular Facts, nor to accuse particular Persons; but only to give such general Hints, as may set the whole Affair in so true and proper a Light, that neither the Government, Publick, nor fair Trader, may lie longer under the Prejudices and Frauds they are perpetually expos'd to by some.

Captains of Men of War, Yachts, Packets, Transports, and other Vessels and Boats of all Sorts and Sizes in her Majesty's Service, (even, perhaps, when they go out in Quest on the Arrival of any Ships on the Coast) who are so far from being free of the Infection, that they are most notoriously tainted with it. 'Tis seldom, indeed, (for I won't say never, because I am sensible, here and there one is a
Man

Man of so much Integrity, that no Profit could corrupt into a Breach of his Trust; or Offence against the Laws of his Country ; but 'tis the general Practice I am arraigning) that they make the least Trip, Voyage, or Cruise, (for on a Cruise they rarely fail of Opportunities, by *Dutch, Dane, or Sweed*, to be as well furnish'd, as if they went into a Port of *France*) but according to their Purse, Captains, Officers, and Crew, return Home as well freighted with Wine and Brandy, as Circumstance of Time and Place, where they had been, would permit. And it can't appear difficult to any Body acquainted with their Conveniences, to put it safe on Shore, partly by downright Running, and partly by Connivance of Custom-House Officers and Waiters, who (should they happen to come in their Way, and will open their Eyes, which is far from always) are seldom so obdurate to resist the plausible Excuse of its being for the Captain's own Drinking, when 'tis accompany'd with a Consideration to themselves, which immediately mollifies them, were they never so petrify'd before. Sometimes indeed they are forc'd to have Recourse to other Measures, *viz.* with a soft Fellow, to wheedling ; with a timorous, to carrying it with a high Hand, *Sirrah, 'tis for Commissioner* — such a one — or my Lord — t'other ; *and if you presume to lay a Finger on't, you'll be sure to pay dear for't, &c.* The drunken Sot is not difficult, by a Dose, to be taken off from his being troublesome ; for all these several Sorts, and many more, besides those whose Consciences for the blackest Facts never flew in their Faces, I am sure you are sensible are to be met with among the many Dependants on the Customs. And 'tis incredible what Quantities are so imported, as likewise by

Merchant-Ships, the constant Practices of the Masters of which, and how merrily the Master and his Mate will swallow a Custom-House Oath, (which, when in their Airs, they won't stick at saying, they think no more binding, than what they make to a High-way Man, who without it
would

would murder 'em) is known by every one that has the least Acquaintance among 'em.

By foreign Ships of War, as well as Merchant-Ships, (since you give the *Dutch* not only free Leave to trade thither, but unmolested to enter laded into your Ports) no inconsiderable Quantities are, by Contract, brought into your Harbours, and thence, by Boats of our own ashore, who have, on the Delivery of 'em safe, fix'd Rates for those Services. If not, Labour only lost, which does not often happen.

By small Vessels, which are known in many of our Sea-Port Towns to be expressly employ'd, by particular Persons, between our own Coasts, and that of *France*, on this clandestine Trade.

By *French* Wines and Brandies being very frequently imported, under the Denomination of *Viana*, and other Countries, made up indeed in Casks and Flasks proper to the Countries from whence they pretend to come; but was there not Negligence, gross Ignorance (at best) in the Custom-House Officer, or a good Understanding between him and the Importer, would never pass for such.

By being imported from *Holland*, *Ireland*, *Jersey*, *Guernsey*, *Mann*, and from *Scotland*, (before the Union) in Chests, Hampers, and Casks, with Spaw-Waters, Eggs, Beer, Syder, Ale, or other Goods on the Top; and by the Custom-House Officers, either Neglect, or being brib'd off, has escap'd with only a superficial Examination. And I have been, indeed, Eye and Ear-Witness of Bargains of that Kind, and of their Success.

By sham Captures, what gross Cheats and Abuses are the Work of every Day, are numberless; viz. by taking Ships freighted with Wine and Brandy, by private Contract and Assignment: By Seizures being made by the Importers own Information, after private Agreement and Bonds enter'd in to between him and the Seizor.

By most notorious Abuses committed by Custom-House Officers, upon Wine and Brandy, which after it has been seiz'd and deliver'd into the Custody of the Store-keeper of the Custom-Houses of the several Ports, the greatest Part of the best Wine and Brandy has been drawn off from the Casks, which have again been replenish'd with other Stuff, by the Juggling within Doors; and render'd so bad, that if it had the Fortune to be condemn'd, (for sometimes 'twould be so compounded, 'twas hardly to be adjudg'd) and came to be sold, 'twould often little more than pay the Charges of Condemnation, much less answer the Customs. The like Fate have seiz'd Bottles undergone. And I have often known those, who have had their Wines seiz'd, and afterwards recover'd, or bought it, that making Complaints of the ill Usage, could get no other Reparation, than an insolent Answer, That there it was; if they lik'd it, they might take it; if not, they might leave it; which some have chose rather to do, than to bear so being impos'd on.

By the Owner of the Wine or Brandy that is condemn'd, when it comes to be canted, getting into Favour with the proper Custom-House Officer, (which is not for nothing, to be sure) he prevails on him to depreciate it to any one who comes to taste, in order to bid for it, and to assign (especially if 'tis in Bottles) such a Part for Proof, that may be a certain Discouragement to his proceeding any farther, and a fair Expectation to the Smugler of its remaining to him at his own Price.

By Custom-House Officers permitting large Hampers, and Chests of Wine, that were in their Power to have made just Prize of, to escape at the Request of particular Persons, on Pretence of its being for their own Use, &c. which, to be sure, they won't be good natur'd enough to do, without a competent Consideration to themselves. *Scratch me, and I'll scratch you*, is the *Motto* they assume to themselves, when they are cracking to their Friends, how much their Perquisites exceed their Sallaries. And nothing is more notorious, than

than that the very Directions on Hampers of Wine, if for one among themselves, being a Pass-Main from all Seizors. And to the Scandal of some principal Men in Navy, Customs, and Treasury, those Practices have not only been permitted, but commanded; and if either from the Squeamishness of his Conscience, or the Expectation of the Reward, the Law entitles him to for his Discovery, any Officer has been bold enough not to act accordingly, he has been opprobriously snubb'd, rebuk'd, and threaten'd — That when those Gentlemen, who reap no Advantage by profitable Posts in the Government, have been forc'd to pay four Shillings a Quart for their Wine. Those that have large Sallaries (besides Perquisites, as they call 'em) for Offices of Trust, in most palpable Breach of the same, can regale themselves and Friends with better at seven Pence or eight Pence a Quart; not only at their own Houses, but bragging of their Opportunities, furnish others with it too. And from my own Knowledge, I speak it to be a very common Custom among those Gentlemen, to give their Orders to Captains of Men of War, Yatches, or Packets bound to *Holland, Ireland, Scotland, &c.* at their Return to bring 'em such and such Quantities, and Sorts, which, should they fail of, they may chance to feel their Resentment, on the first Occasion.

By not having a due Method in giving out Certificates; for want of which, the same Certificate has convey'd a double Quantity two several Ways. For Instance, if I have a Certificate at *Dover*, for a Hoghead of Wine, having pay'd the Duty there, I put it on Board a Hoy bound to *London*; which done, keeping my Certificate for my Voucher, on its Arrival there, by Virtue of the same, which on any Occasion I have ready to produce, I bring another with me, by Land, to the same Place, unless I have a Mind to drop it any where by the Way. This (though once in a hundred Times, perhaps, failing) is known to be very sensible and frequent, as likewise, by the Negligence or Conivance of Waiters, after an Entrance made, under the Co-

vert of one Hoghead, having pay'd the Duty to land another that has not, especially at our Country-Ports.

In fine, should I trace them through all the crooked Parts of Fraud and Collusion, by which the Government and fair Trader are so grossly impos'd on, I might accumulate Aggravations almost *ad Infinitum*. But I shall no longer pursue 'em there, believing enough has been said thereupon to demonstrate the Consequences thereof to be,

First, Encouragement to the Smugler : For where Duties run high, or where a Prohibition of any Commodity is, which the Humour of a People inclines to, there will always be found a Sort of Miscreants, (justly nam'd Smuglers) who, besides the natural Bent to Villainy they are born with, will turn their Heads wholly that Way, animated by the great Return attending it, particularly where the Risque they run, (if they should meet with a Disappointment) is not proportionable to the Profit of a Success.

Secondly, Discouragement to the honest fair Trader, who is thereby expos'd to be insulted, under-sold, and many Ways made Cully to the Smugler, whose Conscience is Proof against all Laws, won't chime in with his Interest.

Thirdly, The Subject will murmur and repine, to find so great a Partiality shown between him and his Neighbour, who shall be permitted to indulge in Claret, whilst he, for refusing to be in the Knave's Secret, must mortify in Port. And not to be too tedious, in enumerating a World of other evil Consequences most immediately proceeding therefrom, it deprives the Government and Publick of very large Sums of Money that would flow into the *Exchequer*, from the Customs, on a faithful Entrance of the same ; which would very much alleviate the Burthen that lies heavy on the Subject by other Taxes, not so supportable as this, which lays the Fine on the Spirit of Luxury only.

These, and many more, are the ill Effects of this Prohibition, which, either from its having a Being, or for want of its being effectual, answers none of those Purposes for
which

which 'twas created; whereas, says the fair Trader, in his Opinion, was it thought fit to repeal it, and establish a free Trade with *France*, for their Wines only, on the foot our (no foolish) Friends the *Dutch* are, limiting our Ships bound thither, under a severe Penalty, to touch at no other Port of *France*, than *Bordeaux* alone, (which is capable of answering all our Demands) on any Pretence whatever; and on their Return, *London*. One Port for the *West*, and another for the *North* part of *Great Britain*, only to be allow'd entering Ports for the Wine-Trade to *France*, (which in Time of Peace, as well as of War, by preventing the frequent Frauds by Running, would be found not a little serviceable to the Government) the Enemy would not have so many Opportunities of gaining Intelligence of our Affairs, as he now has, by the many little Vessels that are daily tripping thither from most of our Coasts. We should not enrich them so much at the Expence of impoverishing our Selves, as we do by the necessary Obligation that lies on these felonious Traders, with ready Money, or unwrought Wool, to pay for those Wines, there is not Permission to make Return for, by the Overt Export of any of our own Commodities. Our *Portugal* Trade, &c. would not receive so great a Check by a free Importation loaded with a high Impost, and limited to so few Ports, as it does by this collusive Trade which our Owlers and others are daily driving on. Or if, continues the fair Trader, for some Secrets of State, more Inconveniencies should be found in a free and open Trade with *France*, than his Understanding can fathom. Then, if Permission might be given for our furnishing our Selves from our Neighbours of *Ireland*, *Jersey*, *Guernsey*, *Holland*, *Denmark*, or *Sweden*, limiting the Enterance to the three fore-mention'd Ports only, the necessary Consequences thereof, seem to him to be most infallible Destruction or Reformation to the Smugler.

Most certain Encouragement to the honest Adventurer, who will not a little rejoyce to find a Way open'd for him

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to employ his Industry, Credit, and Stock in, not expos'd to the Hazards and Interruptions from the Enemy, which by all other Trades he is obnoxious to, and an Opportunity thereby to repair his repeated Losses by others.

The luxurious Man will be pleas'd, that he may hope to gratify his Appetite at a less Expence than he is oblig'd now to be at, by the exorbitant Extortion of the Smugler, that enhances it.

And the Subjects of old *England*, reviv'd to find themselves on an equal Foot with their Neighbours of the *North*, (who, by Reason of a long continu'd Trade, and well settl'd Correspondence thither, will hardly be induc'd to abandon it, to begin a-new with a Country where they are absolute Strangers, and have no Acquaintance) of the Islands of *Jersey* and *Guernsey*, and of *Ireland*, which every Body knows keeps a constant Trade thither with the Connivance of the Government, notwithstanding the Prohibition.

And, to close all, the Publick will receive a greater Aid from thence, towards carrying on the present War, (unfelt by the Subject) than by any one, perhaps, at this Day on foot, that on Land excepted, it being demonstrable by the justest Information, and nicest Calculation, that considering the Difficulty of Circumstances that is to be made, and that not by contemptible Intelligence, that for two Years past, before the First of *May* last, we had not had less than ten thousand Tuns of *French* Wine (exclusive of Brandy) of all Sorts, not having pay'd any Duty, each Year imported into *England*; for which there being so good a Scheme lay'd by those who find so great an Account rising to 'em from it, 'tis not very probable will be renounc'd by Choice.

Now, supposing that if, instead of ten thousand, a free Importation should introduce every Year twenty thousand Tuns among us; or farther, with the Addition of *Scotland*, should double that Quantity in *Great Britain*; yet even that could not possibly be any perceptible Prejudice to our Trade to *Portugal*, &c. at whose Markets our Woollen Manufactures,

stures, Corn, Fish, &c. will always be preferr'd to what any other Nation can furnish 'em with, not more for their intrinsick Value, than for that we shall (notwithstanding our Trade to *France* under the Limitations aforesaid) be oblig'd to take infinitely more of their Wines, &c. in Return, than any other Nation can pretend to do.

Or to go yet one Step farther, admitting every Drop thereof (that is, prime Cost and Charges to the Embarkation) to be pay'd for with ready Money; yet weighing this, and twenty other little Disadvantages (which I am far from granting) started up, and insinuated by capricious, interested People, against the Advantage of the remedying the publick and private Grievances before represented, and of having so considerable and easy a Fund to supply the present Exigences: And I am under no Apprehension but a just Ballance will incline at least (by breaking the Neck of this so precarious a Prohibition) to provide one that may, to all Intents and Purposes, answer the End of a Prohibition, or else to a Permission of a free Importation immediately from *France*, or (if that should be judg'd impracticable) from some other Country, that being in Amity with us, and maintaining a free and open Commerce there, are in a Condition to supply us.

Upon either of which Concessions, 'twould surely be most essentially expedient for the Benefit of the Publick, that what Laws are thought fit to be enacted thereon, impose so severe a Penalty on the Offender of what Quality or Degree soever, (which should be executed with impartial Rigour) as may deter all Mankind from presuming to violate 'em; for 'tis not more necessary that the Duties be high, than 'tis absolutely necessary, for the Encouragement of Trade, the main Stay of *Great Britain*, that they should be with utmost Exactness, Justness, and Impartiality, demanded and requir'd from Persons of all Ranks, and that from the largest to the smallest Quantity. For by suffering the least to pass, under Pretence of its being for a private Person's own Use,
 &c.

&c. Means has been found to escape with greater, for the Use of others; not more to the Advantage of particular People, and Encouragement of Smugling, than to the Loss of Customs to the Government, and the Prejudice of Trade in general. I would not be believ'd to build my Assertion on the single Instance of Evasion, in Wines only; but my Meaning, is, to extend it to that practis'd on foreign Commodities of most other Kinds; which being frequently more valuable, and of less Bulk, there is greater Temptation, and better Opportunity, for succeeding in the fraudulent Enterprises before-mention'd: To all which, I must crave Leave to add yet one, which if not so criminal in the Manner of acting, as some of the others, yet is not sure excusable in those, whose Business it is (and for which they have large Sallaries) to do impartial Justice between the Government and Subject, in the Affair of Customs and Duties, to suffer to pass on 'em. My Meaning is, that Gentlemen, who having been Abroad, at their Return Home, furnish themselves, and as many Friends as request it of 'em, with a large Supply (and perhaps for many Years) of whatever they have Occasion for of foreign Growth. And this (very often) free of Freight, but almost always of Custom; for being generally Men of Interest (or that by one Friend or other can make it) at the Custom-House Board, they procure an Order for their Goods being brought from the Ship (which brought 'em over) to the Custom-House, where, by some inferior Officer, they are for Form-sake open'd; and, to save their Oaths, (as they call it) just one Hand put underneath; and presently comes the Report (that is, after the Reward) of being only a few odd Things for the Gentleman's own Use, tho' they should be of fifty thousand Pounds Value, that the Sun had never seen before; but all goes clear, with a good Interest, or Recommendation to the Board. A pregnant Example of which, is in a certain Man of War, that, not seven Months ago, brought from a *Mediterranean* Voyage, more Goods, of several Sorts, for two or three

three Noblemen, (one of whom, if I mistake not, is a Great Man somewhere about the *E——er*, with no small Dependance upon it) and their Attendants, than would (if any Merchant had imported 'em) have pay'd the Queen three thousand Pounds Duty on a fair Entry: And this by Authority of an Interest (forsooth) at the Board, and a Gratuity to *Under-spur*, for his favourable Report; when a Gentleman, who had been Abroad in the Service of his Country, was oblig'd by 'em, at the same Time, with all Severity, for Want of such an Interest, and not thinking it worth purchasing a Report for, to pay about sixteen Shillings for the Duty of three Skins, and two or three other small Things, actually for his own Wearing: And when, for that Reason hoping to be excus'd, he apply'd himself to the *C——s*, they gravely told him, *Sir, 'tis not in our Power to ease you, little, as well as much, and all People must pay the Queen her Duty; and pray, Sir, trouble us with no more Words.* And does not this verify an old Proverb extant among us, *That 'tis safer for some People to steal a Horse, than for others to look over the Hedge?* And besides the Loss to the Government, which in the Year amounts (by such Management) to many thousand Pounds, is not this a Heart-breaking to the Merchant, who, after exposing himself and his Fortune to Variety of Risques, finds those Gentlemen, whom, at a moderate Profit, he might not unreasonably hope to be his Customers for those Goods for which he has pay'd high Duties, and great Freight, furnish'd in so unfair a manner, not only Freight, but Custom free? And is not this good Cause for muttering to the Subject, to find Men of greater Estates, and more capable than themselves of paying large Prices for their Goods supply'd by Reason of their Quality and Interest, at half the Rate they are oblig'd to pay? That in one Port or other, this is every Day's Practice with those who are happy enough to have an Interest among the Custom-house Officers, from highest to lowest, in their several Stations, I am convinc'd by so unquestionable an Authority, that would not

admit of the least Dispute, if I propos'd bringing my Self on the Stage with an Expectation of bettering my Post in a future Regulation: But my whole Aim being entirely for the Benefit of my Country, I shall acquiesce with acquitting my Self of the Duty I thought incumbent on me, to remonstrate those Grievances the Publick seem'd to me to labour under, by the Premises, to those People, whose Business in a peculiar manner it is, to redress the Defects of our Legislature, submitting to them, whether in a great Measure it would not be contributing thereto, That

All Captains of Men of War, Yachts, Packets, Transports, and other Vessels whatever, in her Majesty's Service, with all their commission'd and non-commission'd Officers, should be ty'd up from their offering Violence to what Laws should be thought fit to be made for that Purpose, by an Oath expressly to be prepar'd, (and that their Pay should commence but from the Day of their taking the same) That they should never suffer the least Quantity of *French* Wine, Brandy, or any other Commodity of foreign Growth liable to pay any Duty to the Government, to be debark'd from the Ship on which they were intended to serve, or did serve, by themselves, or any of their Crew, jointly or separately, or by any other Person whatsoever, without an Entry first made of the Whole at the proper Place appointed for the same. And likewise, if they should at any Time hereafter know any Ship, Boat, or Person whatsoever, that actually had, or to be intending or endeavouring to defraud her Majesty or Government of the Duty arising from Wine, Brandy, or other Goods whatever, by running or privately conveying the same on Shoar, without a fair Entry of the same, as aforesaid; they should, to the best of their Power, prevent and discover the same, and prosecute the Offenders: That any commission'd or non-commission'd Officer offending in any part thereof, or that shall consent or be privy to any other Person's so offending, or that does not immediately discover and prosecute any Person so offending, should, upon Conviction, be

be cashier'd, made incapable of Service, and lose all their Pay, to be given (with some farther Encouragement) to the Informer. That the Commissary, on each Muster, shall be oblig'd to give every private Sailor, and individual Person belonging to the same Ship, a like Oath, and the Offenders therein to lose their Pay, and be liable to such corporal Punishment as shall be thought reasonable ; and this whole Clause to be read to the Ship's Crew with an audible Voice, every Muster ; and the Commissary neglecting to do as requir'd thereby, to be cashier'd, and under a Penalty, for the Informer.

That every Commander and Master of a Merchant Ship, or trading Vessel, before they are clear'd outward, should be sworn to the foregoing Article ; and likewise upon his Return to any Port, at the Enterance of his Ship, in order to unlade. That if, after such Oath made, any Wine, Brandy, or other foreign Goods, of what Quantity soever, shall be discover'd in the same Ship, or any part thereof, not being justly enter'd : Or if it shall be made appear, before or after the same Oath, within the Space of six Months, that any Wine, Brandy, or other foreign Commodity, shall have been brought on Shore, or otherwise deliver'd out of the same Ship, after its Arrival on the Coast of *Great Britain*, before a just Entry made thereof, and Duties either pay'd or being secur'd to be pay'd, or that shall be endeavour'd to be so brought a-shore, the same Ship and Goods to be, *ipso facto*, confiscated : The Commander, Master, nor any of the Crew, capable by Law to recover any Wages due to them for the same Voyage, from their Owners, &c. and every of them, that shall be convicted of anywise being aiding, abetting, or assisting in any degree therein, (except the Informer) to be liable to a corporal, as well as pecuniary Mulct.

The same Penalty likewise on them who shall make a false Report, and pretend to come from one Place, when they do from another ; or enter Commodities of the Growth of one Country, under the Denomination of another.

That if any Boat shall be found bringing, or having brought on Shore, or having on Board any the smallest Quantity of *French* Wines, Brandy, or other foreign Goods whatever, without an authentick License from the proper Custom-house Officer, or not having made a just Entry of the same, the Boat and Goods to be confiscated; the Owner of them, (if present, or anywise privy to it) and all Persons working on Board it, or anywise concern'd about the same, to be liable to the same Punishment.

That any Person convicted of having forg'd, or any ways alter'd a Certificate, or that having made an Entry of Wine, Brandy, or other Goods, at the proper Port, shall, under Colour of that Entry, endeavour privately to convey on Shore any that has not been duly enter'd, or that shall endeavour, by the Means of having a Certificate for any Quantity of Wine, Brandy, or other Goods, to pass a greater Quantity than is intended thereby, to any Place whatever, or that shall conceal any Wine, Brandy, or other foreign Goods paying higher Duties, under other Goods that pay less or none, shall render the Whole confiscable, and the Persons concern'd therein, to be punish'd as before.

That the Wine, Brandy, and other Goods so seiz'd and discover'd, shall, for Encouragement of Trade to the honest fair Trader, be stav'd, burnt, or otherwise destroy'd, immediately after Condemnation.

That any Custom-house Officer, of what Degree soever, or any Person receiving any Profit or Advantage by Salary or otherwise, from any Employment in her Majesty's or Government's Service, either Civil or Military, who shall convert to their own Use, embezel, conceal, drink, or any ways dispose of any part of Wine, Brandy, or other Goods that has been seiz'd or condemn'd contrary to the Determination of the Law in that Case provided, or suffer any other Person so to do, or that shall be convicted of having acted in any Manner or Thing contrary to the true Intent and Meaning thereof, shall be, *ipso facto*, cashier'd, and be for ever made incapable

incapable of having any Place or Office of Benefit or Trust in the Government, and liable to a severe Fine and bodily Punishment : And any Person guilty thereof, not having such Place or Office under the Government, to be reputed and punish'd as a Felon.

That any Searcher, Waiter, or other Person whatever, having any Employment depending on the Customs, who shall be convicted of having taken any Fee, Bribe, or Reward, to release or discharge any Quantity soever of Wine, Brandy, or other Goods, or suffering the same to pass without a just Entry thereof first made, and Duties pay'd, or secur'd to be pay'd, or making a false or equivocal Report of the same, after it shall have come to his Hands ; or that shall make any Contract or Bargain whatsoever against the Meaning of the Law in that Case, shall be punish'd after the same Manner.

That any Person importing, or endeavouring to import into this Kingdom, any Goods, of what Nature or Kind soever, prohibited by the Laws thereof to be imported or consum'd, be punish'd as a Felon.

That there be such Provision made for the Discovery of any of the abovesaid evil Practices, that may be both Protection and Encouragement for those who will take more than ordinary Pains in detecting Aggressors ; and because 'tis humbly presum'd before, it would be for the Encouragement of Trade and the fair Trader, that the seiz'd Wine, Brandy, and Goods, after Condemnation, should be stav'd, burnt, or otherwise destroy'd, by which the Informer would of Course be depriv'd of the Reward, by the Moiety which he at present claims, (and which has indeed many Mischiefs attending it) it does not seem altogether unreasonable he might be repair'd from the Crown, in the same manner as the Apprehender of a Highway-man or a Felon, or by imposing a Fine on the Offender, proportionable to the Fact, which should be wholly to the Informer, and the Offender be, without Bail, committed to Prison, 'till he had pay'd it. And since Informing in this Case, is of as great Service to the Publick,

as in that of a Highway-man or House-breaker, that it should be made penal to any one that makes Reflections on another for Informing.

That any Person having been guilty of any the abovesaid ill Practices, that shall hereafter come in, and inform against any one, or more of his Accomplices, so that he, or they may be convicted thereof: Or, that having from any Officer, or other belonging to, or depending on the Customs, receiv'd any Remission, or Relaxation of Wine, Brandy, or other Goods, for Favour, Gratuity, or by Negligence of such Officer, That such Person giving Information against, and convicting him thereof, shall be pardon'd and acquitted of such Offence, have his Wine, Brandy, or other Goods remain quietly to him, as if he actually had pay'd the Duty, and receiv'd the same, and be entitled to the Reward to be granted for, and Fine amerc'd on the Offender. That any Person tampering with, or endeavouring to corrupt, or seduce such Informer to desist from his Prosecution; or that by ill Treatment, or menacing Language, shall go about to deter, or frighten him from giving in, or prosecuting his Information, shall be pillory'd and fin'd: And the like Punishment on such Person, who after an Information being by him given in, shall suffer himself to be tamper'd with, brib'd, or threaten'd off from prosecuting such Fact to the utmost of his Power. And finally, That nothing (how severe soever) may be omitted, that may be serviceable towards reducing those Pests of the Common-wealth, the Smuglers, with all their Accessories, and restoring the trading part of the Nation, (which languishes under Lenitives) by such Corrosives, that may reach the very Root of the Infection, and either reclaim or eternally expel 'em from amongst us; for they are no inconsiderable Number, nor unskilful in the Trade within the City of *London*, as well as other parts of *Great Britain*, who pursue, with mighty Industry, the Prospect of an Advantage so far exceeding the Risque, it being rarely possible (if they do not fail in Management) to make it evident enough against

them, to bring them within the Lash of the Law, as it at present stands, to the unspeakable Detriment of the Publick, which, when in Danger, there are no Measures sure, to be observ'd with the Private ; neither can any Bonds seem too severe to confine all Mankind from the Transgression of the Laws of that Country which gives 'em Protection, since a just, rigorous and impartial Punishment of the Offender, is the greatest Reward and Encouragement to the honest Man, who, convinc'd of his own upright Principles, defies all your Penalties, from a Confidence that no Action of his will ever bring him within the Reach of 'em ; and pleas'd to see exemplary Justice pass upon the Rogue, who was cutting himself out a Fortune upon his Neighbour's Integrity : And the Man who is that Rogue, I fancy none will dispute in his Favour, that 'tis a Farthing to the Publick, what Weight he is crush'd under, provided it be done effectually, and especially since they are arriv'd at the Pitch we find 'em at this Day, that if not curb'd by some timely Precaution, they may chance to embarrass us farther than we are aware on. Whereas, if it shall be thought fit to make 'em feel the just Resentment the Nation has of their Villanies, and the Resolution it has to redress 'em, we shall soon find Trade appear with a fairer Face, and the Exchequer with weightier Coffers.

I don't pretend, by Elegancy of well rang'd Words, to persuade any Body into an Opinion of either my Self, or my Topick ; nor to have dress'd it up with the Rhetorick, sufficient to enforce it self upon any Body ; nor yet to have digested it into so regular a Form, as to merit any Bodies appearing in its Favour. All I will pretend to, is, the Sincerity and Honesty with which 'tis intended, and deliver'd, as being literally Matter of Fact, (I mean as to the latter Part, the former being only problematically propos'd, &c.) which I have given a true and naked View of, as concisely as might be, with making my Meaning comprehended ; and as fully as might be, without being tedious ; leaving to others, (if it seems good to 'em) whom it more immediately concerns,
to

to enlarge upon, and improve it, I pretending but to lay a Foundation for some better Architect to erect a Building on. This Word only I will say to those, who, perhaps, will call me a meddling Coxcomb, for busying my self in what, I confess, does not relate to me ; and will ask, why I could not let it alone for those to whom it did ? since, to be sure, if Things were as bad as I have endeavour'd to insinuate, there would be Complainants enough, who would interest themselves on such a Subject, that understood better how to handle it : To them I answer, That we have an old Proverb, which tells us, that *That which is every Body's Business, is no Body's*. Perhaps there may be many very sensible of the Cheat in general, that is every Day carrying on ; that there may be many that know it would be much for the Interest of the Publick, to put a Period to it ; and many that (would they undertake it) have much better Capacities to go through with it : But that there are many that have had the Opportunities of being so well inform'd in the Particulars that I have taken upon me to represent, I crave Leave (since they have not yet done it) to doubt ; for if they had, I can hardly believe any Thing so notorious would have slept so long. But not to multiply Words thereon, I have begun it, let who will end it. If any Body thinks fit to lend it a Hand towards helping it onwards of its Journey, so that any Service may arise by it to our honest fair Traders, and consequently to *Great Britain* in general, let them take the Glory on't ; I shall have all I wish for ; otherwise, *Oleum & Operam perdididi* ; and am

Your humble Servant,

R. F.

FINIS.

